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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,444	02/19/2004	Anthony Edward Martinez	8185P029	5166

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EXAMINER	
THOMAS, ASHISH	

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
09/16/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/782,444	MARTINEZ, ANTHONY EDWARD	
	Examiner	Art Unit	
	ASHISH K. THOMAS	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/1/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

In page 10, paragraph 1 of the remarks submitted on 6/11/2009, the Applicant asserts that the prior art on record do not teach optically imaging a sheet for job information.

In response, the Examine respectfully disagrees with the Applicant. The Mei reference teaches the ability to optically scan a sheet for prior information(column 3, lines 1-10). Indeed, the Mei reference does not teach that the scanning is purely intended to seek out job information on the page. However, incorporating Mei with the Ogaki reference(use of separator page) and the Douglin reference(reusing a cover page for different jobs) teaches the subject matter taught in the independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogaki(U.S. 6,771,383) in view of Mei(U.S. 6,236,831) and further in view of Douglin(U.S. 6,619,695).

Regarding claim 13, Ogaki teaches a printing system for processing separator pages(**Column 4, lines 46-47 describes a separator sheet**) used for separating print jobs being output from said printing system, said printing system comprising: a printer device(**Machine 1 in figure 1**); an input device for providing an input separator page to said printer for identifying a second print job(**Column 8, lines 1-10 teaches the detection of separator sheet. This, in turn, inherently teaches a device that provides the separator sheet to the printing unit.**); said printer device being operable for printing second printing job information thereby providing a second print job separator page.(**Figure 13 illustrates that a separator page is printed with each job or document. This implies the existence of the second print job separator page.**)

But Ogaki does not teach an image acquisition device arranged between an input device and a printer device, the image acquisition device being operable for optically obtaining image information identifying information contained on an input page; processing means coupled to the image acquisition device for determining if the inputted page contains a first information by optically identifying a first set of end

markers on the page, the printer device being operable for obscuring the first set of information and the first set of end markers on the input page if the first information is determined to be present on the page, the printer device being operable for printing second information on input page between a second set of end markers at a predetermined position relative to the obscured first print information thereby providing a second page.

Mei, on the other hand, teaches an image acquisition device(**Scanner device 104 detailed in column 2, lines 60-64**) arranged between an input device and a printer device, the image acquisition device being operable for optically obtaining image information identifying information contained on an input page(**Column 3, lines 1-10 discloses the ability to optically scan the inputted page.**); processing means coupled to the image acquisition device for determining if the inputted page contains a first information by optically identifying a first set of end markers on the page(**Column 2, lines 31-35 teaches identification of marks on the scanned page. This, in turn, inherently teaches the processing means stated in the claim language. Also, note that the marks stated in the Mei reference read on the first set of information and its corresponding end markers stated in the claim language.**), the printer device being operable for obscuring the first set of information and the first set of end markers on the input page if the first information is determined to be present on the page(**Column 2, lines 35-38 and column 2, lines 55-60 teach concealing the detected marks.**), the printer device being operable for printing second information on input page between a second set of end markers at a predetermined position relative to

the obscured first print information thereby providing a second page. (**Column 8, lines 20-27 teaches printing a second image on the recycled sheet.**)

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Ogaki with Mei to put forth a printing system wherein a separator sheet can be reused for a plurality of print jobs wherein the separator sheet is scanned for prior information and erasing the prior information for newer information.

The motivation behind this modification simply is to put forth an efficient apparatus that saves paper.

But Ogaki and Mei do not explicitly teach a printer device being operable for obscuring print job information on a sheet and inputting new print job information on the sheet.

Douglin, on the other hand, teaches a printer device being operable for obscuring print job information on a sheet and inputting new print job information on the sheet. (**Column 3, lines 5-28 discloses a reusable fax cover sheet that is used for a plurality of print jobs. Prior job information is erased for newer job information.**).

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Ogaki and Mei with Douglin to fully put forth the printing device claimed in claim 13.

The motivation behind combining Ogaki and Mei with Douglin is to prevent the wasteful usage of paper by re-using the same separator page for a plurality of print jobs. Here, only the separator page information need to be changed.

Regarding claim 1, it is rejected in the same manner as claim 13 since a corresponding method is disclosed in claim 1.

Regarding claim 7, it is rejected in the same manner as claim 13 since it discloses a program that corresponds to the system claimed in claim 13. Furthermore, column 7, lines 62-67 of the Mei reference teaches a storage device that is connected to a processor which performs the functions.

Regarding claims 4, 10, and 16, the aforementioned combination of Ogaki, Mei, and Douglin additionally teaches that the determining is accomplished by obtaining a photo image of said input separator page. (**Column 2, lines 30-35 of Mei teaches scanning and storing an image of a sheet. And Ogaki, in column 7, lines 40-50, teaches the detection of a separation sheet. Therefore, the combination obviously teaches the subject matter claimed in the respective claims.**)

Regarding claims 5, 11, and 17, Ogaki additionally teaches printing said second print job; assembling said second print job with said second print job separator page; and outputting said second print job with said second print job separator page from said printer. (**Note that column 8, lines 7-15 teaches that a separator page is attached to each print job, and the combined documents are outputted accordingly.**)

Regarding claims 6, 12, and 18, Douglin further teaches inputting said second print job separator page containing said second print job information for receiving by said printer system for processing a third input separator page to be used to identify a third print job. (**Column 3, lines 5-28 discloses a re-usable sheet. This implies more than one jobs, so a second and third jobs are established in the teaching.**

Regarding claims 2, 8, and 14, Mei further teaches obtaining a bit map image(**Column 2, lines 38-45 teaches scanning a page. This reads on obtaining a bit mapped image.**)

Regarding claims 3, 9, and 15, Mei teaches scanning a page using an optical scanning device (**Column 2, lines 38-45 teaches scanning a page.**)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached on Mon-Fri from 0700-1530 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/
Examiner, Art Unit 2625

/Benny Q Tieu/
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